

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE ENROLLED ACT No. 1238

AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 5-22-21-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 7. (a) Except as provided in section 7.5 of this chapter, surplus property available for sale shall first be offered for sale to all political subdivisions. If the property is in the possession of the Indiana department of transportation, the commissioner shall notify each supervisor of county highways appointed under IC 8-17-3-1 of the sale.

(b) Notice of the sale shall be mailed or provided by another means at least fifteen (15) days before the date of the sale to each county auditor and to each political subdivision that has previously requested notice of the sale from the commissioner. Information regarding the sale shall also be made available at any time before the sale to political subdivisions upon request.

(c) A political subdivision that wants to purchase the property must deliver a sealed bid to the commissioner before the date of the sale to political subdivisions.

(d) The department shall sell the surplus property to the highest responsible governmental bidder. **The commissioner shall determine a market price for the surplus property that is stated in the notice of the sale. The department shall sell the surplus property to the highest governmental bidder** whose bid equals or exceeds the market price determined by the commissioner.

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(e) The department shall deliver possession of the surplus property to the governmental bidder after the bidder approves a claim for payment submitted by the department.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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